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Message Text

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43
ACTION COME-00

INFO OCT-01 AF-10 ISO-00 EB-11 L-03 DRC-01 RSC-01 /027 W
---------- 081949
R 271422Z AUG 74
FM AMCONSUL IBADAN
TO SECSTATE WASHDC 1771
INFO AMEMBASSY LAGOS

UNCLAS IBADAN 362

E. O. 11652: N/A
TAGS: BDIS, NI
SUBJ: TRADE COMPLAINT: WESTERN STATE VS ALAN L. GRANT

PLEASE PASS DEPARTMENT OF COMMERCE

1. GENERAL MANAGER OF WESTERN STATE AGRICULTURAL INVESTMENT CORPORATION (NIGERIAN GOVERNMENT-OWNED FIRM) HAS REQUESTED OUR ASSISTANCE IN SETTLING TRADE DISPUTE WITH ALAN L. GRANT RUBBER DIVISION, IMPERIAL COMMODITIES CORP., 110 WALL ST., NEW YORK CITY.

2. ACCORDING TO EVIDENCE PRESENTED, GRANT SIGNED CONTRACT WITH WSAIC ON 14 MARCH 1974 TO PURCHASE 400 TONS CRUDE RUBBER. CONTRACT SUBJECT TO BANK OF NEW YORK IRREVOCABLE LETTER OF CREDIT NO. 86350 DATED 6 DECEMBER 1973, WHICH LATER AMENDED TO REFLECT AGREED PRICE 38 U.S. CENTS PER POUND F.O.B. AND AGREED DIVERSION 100 TONS OF CONSIGNMENT TO NEW ORLEANS INSTEAD OF NYC. UPON ARRIVAL CRUDE RUBBER AT NYC IN LATE JULY, GRANT AT FIRST REFUSED TO ACCEPT CONSIGNMENT ALTOGETHER, THEN AGREED TO TAKE ONLY 300 TONS, LEAVING REMAINING 100 TONS ON BOARD SHIP, WHICH NOW BELIEVED TO BE ANCHORED AT NEW ORLEANS HARBOR.

3. GRANT OFFERED VARIOUS REASONS FOR REFUSING CONSIGNMENT, FIRST CLAIMING THAT BILLS OF LADING NEITHER DATED NOR SIGNED ON BOARD, THEN CONCEDING THAT BILLS OF LADING DATED AND SIGNED, AND POINTING OUT DISCREPANCY LAY WITH FACT
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THAT ON BOARD STAMP NOT DATED AND SIGNED. LATER, AFTER

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ACCEPTING 300 TONS OF TOTAL CONSIGNMENT, GRANT LAID DOWN CONDITION FOR RECEIVING REMAINING 100 TONS. ACCORDING TO CABLE ADDRESSED TO WSAIC, GRANT NOW CLAIMS THAT QUALITY CRUDE RUBBER LESS THAN AGREED UPON AND ASKS THAT PRICE BE REDUCED TO 37 U.S. CENTS PER POUNDS.

4. JUDGING BY DOCUMENTS PRESENTED BY GENERAL MANAGER WSAIC, IT WOULD APPEAR THAT GRANT ON WEAK GROUND IN ATTEMPTING UNILATERAL BREAK OF CONTRACT. HOWEVER, IT BEST TO RESERVE JUDGEMENT UNTIL ALL FACTS ARE KNOWN. WE WOULD APPRECIATE DEPARTMENT'S ASSISTANCE, THROUGH GOOD OFFICES DOC, IN INVESTIGATING THIS MATTER AND REPORTING FINDINGS.
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Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
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